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REMARKS

Applicants note with thanks Examiner Sing's advice that Claim 34 is missing. Applicants advise that the omission of Claim 34 was a clerical error in numbering the claims; in fact, Claim 34 does not exist. Applicants therefore request the Examiner to renumber the claims consecutively in the order in which they appear when the application is ready for allowance, in accordance with 37 CFR 1.126.

Claims 1, 3, 16, 18, and 31 stand rejected under 35 U.S.C § 102(e) as being anticipated by Sbisa (U.S. Patent No. 6,470,081). Claims 1, 2, 4-17, 19-33 and 35-47 stand rejected under 35 U.S.C § 102(e) as being anticipated by Brady (U.S. Patent No. 5,982,857). As will be shown below, neither Sbisa nor Brady teaches each and every element of claims 1-33 and 35-47. Claims 1-33 and 35-47 are therefore patentable and should be allowed. Applicants respectfully traverse each rejection individually below and request reconsideration of claims 1-33 and 35-47.

Claim Rejections – 35 U.S.C. §102

Claims 1, 3, 16, 18, and 31 stand rejected under 35 U.S.C § 102(e) as being anticipated by Sbisa (U.S. Patent No. 6,470,081). "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."¹ Because Sbisa does not teach each and every element of claims 1-33 and 34-47 the rejection should be withdrawn and the claims should be allowed.

Sbisa

Independent claims 1, 16, and 31 in the present application recite:

¹ *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

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1. A method for controlling call logging, comprising:
detecting a context for a call;
accessing at least one context based logging request valid for said context for said call; and
logging said context according to said context based logging request.”
16. A system for controlling call logging, comprising:
a logging controller communicatively connected to a trusted telephone network;
means for detecting a context for a call at said logging controller;
means for accessing at least one context based logging request valid for said context for said call; and
means for logging said context according to said context based logging request.
31. A computer program product for controlling call logging, comprising:
a recording medium;
means, recorded on said recording medium, for detecting a context for a call;
means, recorded on said recording medium, for accessing at least one context based logging request valid for said context for said call; and
means, recorded on said recording medium, for logging said context according to said context based logging request.

Independent claims 1, 16, and 31 are rejected in the Office Action on grounds that Sbisa teaches “accessing a context based logging request (column 5, lines 27-33); and storing [logging] said context information (column 6, lines 62-67).”

Sbisa teaches at column 5, lines 27-33:

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When a context request message arrives from the data system 119, the context interface 201 provides the context request message to the CPU 206. The CPU 206 processes the context request message to generate the context answer message and sends the context answer message to the context interface 201 for processing and transfer to the proper host over the data system 119.

And Sbisa teaches at column 6, lines 62-67:

The context information is stored and retrieved using the call ID. The context information is either stored in the context server 121 or a context information processor in the SCP 120. The resource node 314 stores a context location indicator that specifies the storage location of the context information.

Applicants respectfully note that Sbisa makes no mention whatsoever of logging. None of the terms 'log,' 'logs,' 'logged,' or 'logging,' or any other reference of any kind to logging occur anywhere in Sbisa. Sbisa's description of a context answer message at column 5, lines 27-33, is purely a description of communicating context data in a data communications protocol message, a message that does not anticipate in any way logging, logging requests, or accessing logging requests as claimed in the present application. Sbisa's description of context information storage at column 6, lines 62-67, is purely a disclosure of context information storage in a context server or a context information processor, a storage procedure that does not anticipate or disclose in any way logging contexts according to logging requests as claimed in the present application.

Rejected claims 3 and 18 depend from claims 1 and 16 respectively and therefore respectively include all the elements of claims 1 and 16. Because Sbisa does not teach each and every element of claims 1, 3, 16, 18, and 31, the rejection of these claims should be withdrawn, and the claims should be allowed.

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Brady

Claims 1, 2, 4 - 17, 19 - 33, and 35 - 47 are rejected under 35 U.S.C § 102(b) as being anticipated by Brady (U.S. Patent No. 5,982,857). As shown below, however, Brady does not teach each and every element of claims 1, 2, 4 - 17, 19 - 33, and 35 - 47. The rejection therefore should be withdrawn, and the claims should be allowed.

Independent claims 1, 16, and 31 are set forth above in their entirety. In particular, claims 1, 16, and 31 claim respectively a method, a system, and a product for controlling call logging that includes accessing, means for accessing, or means on a recording medium for accessing at least one context based logging request valid for said context for said call. In addition, claims 1, 16, and 31 claim logging, means for logging, and means on a recording medium for logging said context according to said context based logging request.

**Brady Does Not Anticipate Accessing At Least One Context
Based Logging Request Valid For Said Context For Said Call**

The Office Action rejects all three independent claims on grounds that Brady anticipates "accessing at least one context based logging request valid for said context for said call" in Brady's teaching of "accessing a database to determined if the call should be recorded" at column 3, lines 57-65 and column 4, lines 23-25. The Office Action also cites Brady at column 6, lines 15-22, as anticipating this element in claim 1.

Brady at column 3, lines 57-65, teaches:

In step 202 the agent receives automatic number identification (ANI) or customer ID information over the LAN 58. The application process 100 can either use the ANI information itself to decide whether to process the call or it could use the ANI information to access a database stored on another computer or on PC-60, as shown in step 204. Alternatively, the application process can receive, in step 202,

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any other type of information that it could use to determine whether to record the call.

In response, Applicants note with respect that neither using "ANI information to decide whether to process the call" nor receiving "any other type of information that it could use to determine whether to record the call" anticipates in any way "accessing at least one context based logging request valid for said context for said call" in the independent claims in the present application.

Brady at column 4, lines 23-25, teaches:

The application process 100 receives the customer ID and information in step 206 and uses this information in step 208 to decide whether to record the call.

Again Applicants propose with respect that an application process using information to decide whether to record a call cannot be said to anticipate in any way "accessing at least one context based logging request valid for said context for said call" in the independent claims in the present application.

Brady at column 6, lines 15-22, teaches:

FIG. 10 shows another embodiment of this invention using a Request and Status Link (RSL). In this embodiment, each telephony board 62 is controlled by a running computer program in the computer 60, as discussed above with the other embodiments of the invention. However, in the embodiment shown in FIG. 10, the information for determining whether to record a call and for timing of the recording comes from the RSL 554.

Again Applicants propose with respect that using information "for determining whether to record a call" cannot be said to anticipate in any way "accessing at least one context based logging request valid for said context for said call" in independent claim 1 in the

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present application. Applicants respectfully emphasize that in none of the cited excerpts from Brady just above is there any mention whatsoever of logging, logging requests, or context based logging requests within the meaning of the independent claims in the present application.

**Brady Does Not Anticipate Logging Said Context
According To Said Context Based Logging Request**

The Office Action rejects independent claims 1 and 16 on grounds that Brady anticipates "logging said context according to said context based logging request" in Brady's teaching of "recording the call with context" at column 4, lines 64-67 and column 5, lines 1-10. Brady teaches at column 4, lines 64-67 and column 5, lines 1-10:

Between steps 216 and 220, all voice communication between the agent and the customer was recorded and stored in the file opened in step 214. After the recording has been ended in step 220, the application process in step 222 adds whatever useful information is desired to a database entry associated with this recorded transaction. For example, the information might be the date, the time, a brief description of the call, by type, customer name, ID number, phone number, or account number. For example, if the call was a request for a wire transfer the type information might be an indication that the call was a request of a wire transfer. This information is added to the database of call transaction information in step 222, the voice file name is added to the database entry.

Applicant respectfully proposes that neither recording "all voice communication between the agent and the customer" nor adding "whatever useful information is desired to a database entry" can be said to anticipate "logging said context according to said context based logging request" within the meaning of independent claims 1 and 16 in the present application.

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The Office Action also cites Brady at column 3, lines 57-65, column 4, lines 16-25, and column 1, lines 28-31 as anticipating this element (logging said context according to said context based logging request) in claim 31. Brady at column 3, lines 57-65, teaches:

In step 202 the agent receives automatic number identification (ANI) or customer ID information over the LAN 58. The application process 100 can either use the ANI information itself to decide whether to process the call or it could use the ANI information to access a database stored on another computer or on PC-60, as shown in step 204. Alternatively, the application process can receive, in step 202, any other type of information that it could use to determine whether to record the call.

Applicant respectfully proposes that determining whether to record a call as taught here cannot be said to anticipate "logging said context according to said context based logging request" within the meaning of independent claim 31 in the present application.

Brady at column 4, lines 16-25, teaches:

In the embodiment of application process 100 shown in FIG. 3, the application process, in step 204, sends the ANI account information to a database, with a request for a customer ID and other information. This customer ID could be any type of information about the customer such as the customer's social security number, the customer's address, the amount of money deposited in the customer's account, or the like. The application process 100 receives the customer ID and information in step 206 and uses this information in step 208 to decide whether to record the call.

Applicant respectfully proposes that using customer ID and other information to "decide whether to record the call" as taught here in Brady cannot be said to anticipate "logging said context according to said context based logging request" within the meaning of independent claim 31 in the present application.

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Brady at column 1, lines 28-31, teaches:

All calls where a customer requests a wire transfer can be recorded. If the bank is later accused of making a mistake, the bank will have a record of exactly what it was instructed to do by the customer.

Applicant respectfully notes that the recording of the customer request for a wire transfer described here is an audio recording of the customer oral order. Applicant respectfully proposes that such an audio recording cannot be said to anticipate "logging said context according to said context based logging request" within the meaning of independent claim 31 in the present application. Applicant respectfully emphasizes that none of the three excerpts cited just above against this element of claim 31 makes any mention whatsoever of logging, logging requests, context based logging requests, or logging a context according to a context based logging request. Moreover, applicant notes with respect that none of the terms "log," "logs," "logged," "logging," or any other such reference occurs anywhere in Brady.

Because at least two claim elements in each of the independent claims 1, 16, and 31 are not disclosed in Brady, independent claims 1, 16, and 31 are not anticipated by Brady. Dependent claims 2 and 4 - 15 depend from claim 1 and therefore include all the elements of claim 1. Dependent claims 17 and 19 - 30 depend from claim 16 and therefore include all the elements of claim 16. Dependent claims 32, 33, and 35 - 47 depend from claim 31 and therefore include all the elements of claim 31. At least two elements of all the dependent claims therefore also are not disclosed in or anticipated by Brady. Because Brady does not teach each and every element of claims 1, 2, 4 - 17, 19 - 33, and 35 - 47, the rejection of these claims should be withdrawn, and the claims should be allowed.

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Conclusion

Neither Sbisá nor Brady anticipates any of the pending claims in the present application. Applicants therefore respectfully request the allowance of all pending claims.

The Commissioner is hereby authorized to charge or credit Deposit Account No. 09-0447 for any fees required or overpaid.

Respectfully submitted,

Date: 7.24.03

By:



John R. Biggers

Reg. No. 44,537

Biggers & Ohanian, PLLC

504 Lavaca Street, Suite 970

Austin, Texas 78701

Tel. (512) 472-9881

Fax (512) 472-9887

ATTORNEY FOR APPLICANTS